

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
Project Summaries

NUMBER	SHORT TITLE	DESCRIPTION
95010-335-WS	Railroad Commission MOU [335.28]	<u>Railroad Commission Memorandum of Understanding</u> Update Railroad Commission Memorandum of Understanding (MOU) at the end of Chapter 335, Subchapter A. Chapter 335.28. (H. Reynolds/239-6825)
95100-317-WT	Design Criteria -- Phase II	<u>Design Criteria -- Phase II</u> These rules update guidelines for the design and construction of wastewater treatment facilities to reflect new technological advances. Revisions also address water reuse projects and provide design guidelines for wastewater treatment facility upgrade projects undertaken to comply with other TNRCC rules. Chapter 317. (L. Herrin/239-4552)
95168-120-AI	One-Stop Permitting [Chaps. 120, 335]	<u>One-Stop Permitting</u> Proposed rule changes would establish one-stop permit processing for industrial and hazardous waste permit applications submitted after September 1, 1993. Changes will be incorporated in Chapters 120 and 335. (R. Austin/239-6814)
95204-115-AI	Consolidation of Fugitive Rqmts.	<u>Consolidation of Fugitive Rqmts.</u> Development of a consolidated fugitive program in Texas that will simplify compliance and provide consistency for a plant-wide fugitive program. [Chapter 115] (P. Harwell/239-1517)
96106-350-WS	Texas Risk Reduction Rules	<u>Texas Risk Reduction Rules</u> This rulemaking will replace the Risk Reduction Rules and portions of the current Petroleum Storage Tank Rules. The new rules will provide one set of technical standards for all programs in TNRCC, pertaining to the investigation and cleanup of contaminated sites. A multi-tiered approach will be used to help focus investigations, determine appropriate cleanup levels and set reasonable response objectives to protect human health and the environment. [Chapter 350] (R. Pedde/239-2206 & C. Talkington/239-6731)
96107-309-WT	Effluent Limitations	<u>Effluent Limitations</u> This rulemaking will complement changes to the design criteria (Chapter 317) for domestic wastewater facilities. This rulemaking will add flexibility and new choices for disinfection. It will establish clear guidelines for applications for wastewater disposal by drip irrigation and low pressure dosing systems. It will establish a process for domestic wastewater buffer zone variances by Executive Director approval, instead of by major amendment necessitating a permit action. [309.13(e), 309.3(g), new Subchapter D/Chapter 309] (S. Olivarez/239-4718)
96135-113-AI	Emissions Guidelines for MSWLFs	<u>Emissions Guidelines for MSWLFs</u> This rulemaking will adopt EPA air pollution emission guidelines for existing municipal solid waste landfills. [Sections 113.2060-113.2069/Chapter 113] (B. Henderson/239-1510)
96143-335-WS	Permit Exemptions: Nonhaz. Ind. SW	<u>Permit Exemptions: Nonhaz. Ind. SW</u> This rulemaking will clarify the exemption from permitting for onsite storage, processing, and disposal of nonhazardous industrial solid waste; provide similar permit exemptions as those allowed for hazardous waste management activities; and it will allow generators to store or consolidate nonhazardous waste from facilities they own or otherwise effectively control that are over 50 miles from their collection facility without having to obtain a permit. [Sections 335.1 and 335.2/Chapter 335] (J. Houston/239-4641)

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96150-115-AI	Degassing or Cleaning Vessels	<u>Degassing or Cleaning Stationary, Marine, and Transport Vessels</u> These amendments to Chapter 115, Subchapter F, 115.541-.549 would standardize procedures for determining compliance with the rule, clarify requirements for leak detection and repair, and revise inconsistent rule references. [Sections 115.541-115.549/Chapter 115] (M. Magee/239-1511)
96158-101-AI	Emissions Credit Banking & Trading	<u>Emissions Credit Banking & Trading</u> This rulemaking concerns the emission reduction credit banking system for permanent, surplus, and enforceable reductions and the discrete emission reductions trading program for surplus reductions in emissions per unit of output. The two programs combined will provide all emission sources with a source of offset credits and an alternative means of complying with many air regulations. In addition, changes in Chapters 115 and 117 will provide administrative provisions for trading in those chapters, ensure consistency of rule requirements, and cross-reference with Section 101.29 where appropriate. The new rule is designed to provide greater flexibility and make compliance more cost effective. [Sections 101.29, 115.905, and 117.540/Chapters 101, 115 and 117](M. Magee/239-1511)
96159-122-AI	Federal Operating Permits	<u>Federal Operating Permits</u> These rules revise provisions of the Operating Permits Program to increase flexibility and streamline the permitting process, while continuing to satisfy the objectives of Title V of the 1990 Federal Clean Air Act Amendments. [Chapter 122](J. Dodds/239-0970)
96163-115-AI	Degreasing Processes	<u>Degreasing Processes</u> The Chapter 115 degreasing rules are based upon a 1977 EPA guidance document and need to be updated to reflect current technology. This proposal amends the Degreasing Processes requirements to reflect the availability of aqueous cleaners and non-enclosed gun cleaners. [Sections 115.412-417 and 115.419/Chapter 115](E. Mack/239-1488)
96168-031-AD	Permit Amendments Consolidation	<u>Permit Amendments Consolidation</u> This rulemaking will consolidate rules concerning the process and notice requirements for amendments of permits, registrations, and other agency authorizations. The consolidated rules will not apply to air permits. The rules will make requirements more consistent where feasible. [Sections 31.1-31.51, 291.101, 291.102, 291.104, 291.105, 291.106, 291.107, 291.113, 295.71, 295.158, 297.61, 303.42, 305.61, 305.62, 305.69, 305.70, and 312.10/Chapters 31 (new), 291, 295, 297, 303, 305, and 312](B. Christian/239-1760).
96171-321-WT	Discharges From Aquaculture Facilities	<u>Discharges from Aquaculture Facilities</u> This rulemaking will streamline permitting for the practice of authorizing discharges from aquaculture facilities. This rule will define classes of facilities that may obtain authorization by rule, authorization by individual discharge permit, or an exemption. [Sections 321.271-321.280/Chapter 321] (C. Kim/239-3670)
96173-321-WT	Car Washing Facilities	<u>Car Washing Facilities</u> This rulemaking concerns wastewater discharges from the motor vehicle cleaning industry. It will address operations not covered by current regulations, including mobile vehicle washing operations, coin operated vehicle washing operations, and others. [Sections 321.211-321.220/Chapter 321](L. Winkelman/239-3470)

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NUMBER	SHORT TITLE	DESCRIPTION
96175-SIP-AI	Flexible Attainment Region	<p><u>Flexible Attainment Region</u> This provides for a revision to the State Implementation Plan concerning the Flexible Attainment Region Memorandum of Agreement for the Northeast Texas area. This will provide for the implementation of enforceable control measures that will reduce emissions of ozone precursors in the region. [Section n/a / Chapter n/a](B. Foster/239-1930)</p>
97101-334-WS	PST Reimbursement Program	<p><u>PST Reimbursement Program</u> The proposed rule will amend the current reimbursable cost guidelines and is intended to reflect current market costs for PST corrective action activities currently included in guidelines and to add current market costs for other typical PST activities not currently included in the guidelines. [Subchapters H and M/Chapter 334] (H. Reynolds/239-6825)</p>
97104-SIP-AI	VMT Offset SIP	<p><u>VMT Offset SIP</u> The proposed State Implementation Plan revision for the Houston/Galveston severe ozone nonattainment area would reflect changes in the transportation control programs used to offset increases in emissions resulting from the growth of vehicle miles traveled or the number of vehicle trips. [Section n/a/Chapter n/a](T. Ortiz/239-1054)</p>
97105-213-WT	Edwards Aquifer Phase II	<p><u>Edwards Aquifer Phase II</u> This second phase of rulemaking responds to comments provided to the agency at annual public hearings related to the Edwards Aquifer water quality protection program and were discussed in the adoption preamble for the first phase of rule revisions. Activities under this second phase include: determining the appropriate scope of regulation and geographic area for inclusion of the contributing zone under the rule; studying delegation, with agency oversight, to a local government on a voluntary basis; evaluating the inclusion of the portions of the Edwards Aquifer that occur in Bell County under the rule; developing performance standards for stormwater leaving a regulated activity and/or BMP performance standards; and reviewing the feasibility of certain expedited enforcement procedures. [Chapter 213](M. Ambrose/239-4813)</p>
97106-WLE-WT	WLE for Segment 0103	<p><u>WLE for Segment 0103</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for the Canadian River above Lake Meredith in the Canadian River Basin, Segment 0103. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on April 22, 1992, and a public hearing was conducted on July 9, 1992. This evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470)</p>
97107-WLE-WT	WLE for Segment 0814	<p><u>WLE for Segment 0814</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for Chambers Creek above Richland Chambers Reservoir in the Trinity River Basin, Segment 0814. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on May 27, 1993, and a public hearing was conducted on April 27, 1994. This Evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470)</p>

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NUMBER	SHORT TITLE	DESCRIPTION
97108-WLE-WT	WLE for Segment 0819	<p><u>WLE for Segment 0819</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for the East Fork Trinity River in the Trinity River Basin, Segment 0819. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on December 10, 1993, and a public hearing was conducted on June 28, 1994. This Evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470)</p>
97109-WLE-WT	WLE for Segments 0901 and 0902	<p><u>WLE for Segments 0901 and 0902</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for Cedar Bayou Tidal and Cedar Bayou above Tidal in the Trinity-San Jacinto Coastal Basin, Segment 0901 and Segment 0902. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on November 16, 1992, and a public hearing was conducted on May 17, 1994. This Evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470).</p>
97110-WLE-WT	WLE for Segment 1221	<p><u>WLE for Segment 1221</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for the Leon River below Proctor Lake in the Brazos River Basin, Segment 1221. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on January 13, 1994, and a public hearing was conducted on September 17, 1992. This evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470)</p>
97111-WLE-WT	WLE for Segment 2304	<p><u>WLE for Segment 2304</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for the Rio Grande below Amistad Reservoir in the Rio Grande River Basin, Segment 2304. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on October 8, 1993, and a public hearing was conducted on August 19, 1992. This evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470)</p>
97112-WLE-WT	WLE for Segments 2308 and 2314	<p><u>WLE for Segments 2308 and 2314</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for the Rio Grande below and above Rio Grande International Dam in the Rio Grande River Basin, Segments 2308 and 2314. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on January 11, 1994, and a public hearing was conducted on May 10, 1994. This evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470)</p>
97113-WLE-WT	WLE for Segment 0202	<p><u>WLE for Segment 0202</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for the Red River below Lake Texoma in the Red River Basin, Segment 0202. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on April 25, 1994, and a public hearing was conducted on August 17, 1994. This evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470)</p>

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NUMBER	SHORT TITLE	DESCRIPTION
97114-WLE-WT	WLE for Segment 0229	<p><u>WLE for Segment 0202</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for the Upper Prairie Dog Town Fork Red River in the Red River Basin, Segment 0229. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on January 11, 1994, and a public hearing was conducted on July 28, 1994. This evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470)</p>
97115-WLE-WT	WLE for Segment 0702	<p><u>WLE for Segment 0702</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for the Intercoastal Waterway in the Neches-Trinity Coastal Basin, Segment 0702. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on January 5, 1994, and a public hearing was conducted on March 30, 1994. This evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470)</p>
97116-WLE-WT	WLE for Segment 1232	<p><u>WLE for Segment 1232</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for the Clear Fork Brazos River in the Brazos River Basin, Segment 1232. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on March 1, 1994, and a public hearing was conducted on August 23, 1994. This evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470)</p>
97117-WLE-WT	WLE for Segment 1009	<p><u>WLE for Segment 1009</u> The purpose of this evaluation is to recommend waste treatment levels and effluent limitations for the Cypress Creek in the San Jacinto River Basin, Segment 1009. The limitations will result in the receiving water meeting applicable dissolved oxygen criteria. This Waste Load Evaluation received technical approval from EPA on June 27, 1995. No public hearings have been conducted for this WLE. This evaluation has not been adopted by the Commission or received EPA final approval. (L. Winkelman/239-3470)</p>
97118-TML-WT	TMDL for Houston Ship Channel	<p><u>TMDL for Houston Ship Channel</u> In November 1996 a draft Total Maximum Daily Load for dissolved nickel was published for the Houston Ship Channel System. The Houston Ship Channel System includes the following stream segments: San Jacinto River Tidal - segment 1001, Houston Ship Channel/San Jacinto River - segment 1005, Houston Ship Channel - segment 1006, Houston Ship Channel/Bufalo Bayou - segment 1007, Buffalo Bayou Tidal - segment 1013, Buffalo Bayou above Tidal - segment 1014, Greens Bayou above Tidal - segment 1016, Whiteoak Bayou above Tidal - segment 1017, Tabbs Bay - segment 2426, San Jacinto Bay - segment 2427, Black Duck Bay - segment 2428, Scott Bay - segment 2429, Burnett Bay - segment 2430, Barbours Cut - segment 2436. This has been submitted to EPA for technical approval. (L. Winkelman/239-3470)</p>

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97124-101-AI	Definition of Account	<u>Definition of Account</u> The primary purpose of this amendment is to change the definition of "account" in Chapter 101 to make it consistent with the use of the term "site" in the EPA Title 5 permit program. This will allow TNRCC to continue the use of "account" as the key identifier in the agency's database. Additionally, the amendment will extend the commission's emission fee rate through fiscal year 1998 and updates the status of Beaumont-Port Arthur relating to attainment of the National Ambient Air Quality Standard for ozone. [Sections 101.1, 101.24, and 101.27/Chapter 101](B. Cameron/239-1495)
97125-113-AI	NESHAPS Phase II	<u>NESHAPS Phase 2</u> This rulemaking adopts by reference National Emission Standards for Hazardous Air Pollutants (NESHAPS), as contained in 40 CFR Part 63, and concerns Epoxy Resin and Non-Nylon Polyamide Production, Perchloroethylene Dry Cleaning Facilities, Ethylene Oxide Commercial Sterilization and Fumigation Operations, Aerospace Manufacturing and Rework Facilities, Petroleum Refineries, and Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. This rulemaking represents the second phase of rules to adopt the NESHAPS. [Chapter 113] (A. Hammer/239-6255 or B. Henderson/239-1510)
97126-007-AD	MOU for FEMA	<u>MOU for FEMA</u> This rulemaking provides for the adoption of an MOU with various state agencies that oversee the construction, leasing, renting, or purchasing of structures in flood prone areas. The MOU will ensure compliance with the National Flood Insurance Program. [Chapter 7](L. Winkelman/239-3470)
97128-106-AI	Decorative Chrome Plating	<u>Decorative Chrome Plating</u> The rule will establish exemption requirements for small decorative chrome plating facilities. [Section 106.376/Chapter 106](T. Leifeste/239-1873)
97129-039-WS	Hazardous Waste Public Participation	<u>Hazardous Waste Public Participation</u> The proposed rule will provide for additional preapplication notice for initial hazardous waste permit applications, except for post closure care with and without corrective action, and hazardous waste permit renewals that propose significant changes; an optional local information repository; public notice of final permit decisions; and additional public notices for combustion facilities. [Section TBD/Chapter 39](J. Houston/239-4641)
97130-116-AI	NSR Rule Revisions	<u>NSR Rule Revisions</u> The proposed rules will divide existing Chapter 116 into two separate chapters. State-only requirements for the construction of any new facility or the modification of any existing facility that may emit air contaminants will be in 30 TAC Chapter 116. The state-only requirements will not be part of the State Implementation Plan. Federal requirements governing new construction or the modification of any existing facility will be part of a new 30 TAC Chapter 126 and will be incorporated into the SIP. [Chapters 116 and 126](J. Dodds/239-0970).

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97131-115-AI	Surface Coating Processes	<p><u>Surface Coating Processes</u></p> <p>The proposed rules will revise the General Rules Definitions and Chapter 115 requirements concerning surface coating. The rules will add emissions limitations for ship building and repair surface coating operations which are major VOC sources and are located in the Houston/Galveston ozone nonattainment area. The rules will also add the Control Techniques Guideline's RACT emissions limitations for wood furniture manufacturing operations in the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, and Houston/Galveston ozone nonattainment areas and which have VOC emissions of 25 tons per year or more. These requirements are in accordance with the 1990 Federal Clean Air Act Amendments. [Sections 101.1, 115.10, and 115.421-115.429/Chapters 101 and 115](E. Mack/239-1488)</p>
97132-SIP-AI	El Paso County SIP	<p><u>El Paso CO SIP</u></p> <p>This is a proposed SIP revision to reflect the current status of the inspection/maintenance program in El Paso. The SIP will require an adjustment in the anticipated emissions reductions of CO. (J. Gillen/239-1415)</p>
97134-213-WT	Edwards Aquifer Program Fee / HB 101	<p><u>Edwards Aquifer Program Fee</u></p> <p>The rule provides for an inspection fee and a new fee schedule for the Edwards Aquifer program. The rulemaking is in response to HB 1016 and is part of the agency's legislative implementation. [Section 213.12 and 213.14/Chapter 213](M. Ambrose/239-4813).</p>
97135-113-AI	Air Pollution from Toxic Materials	<p><u>Air Pollution from Toxic Materials</u></p> <p>This rulemaking will simplify permitting of beryllium facilities by removing a redundant emissions standard from consideration during the permitting process. This repeal will make the review of beryllium more consistent with the way other compounds are reviewed. [Subchapter A/Chapter 113] (B. Henderson/239-1510)</p>
97136-115-AI	Perc Dry Cleaning Systems	<p><u>Perc Dry Cleaning Systems</u></p> <p>EPA recently delisted perchloroethylene (perc) as a volatile organic compound (VOC). Because Chapter 115 is specific to control of VOC emissions, it is inappropriate to include rules for perc emissions in Chapter 115. This proposal would repeal 115.521-115.527 and 115.529, concerning Perchloroethylene Dry Cleaning Systems. Emissions from perc dry cleaners will continue to be regulated by the perc dry cleaning NESHAP as promulgated on September 22, 1993 (58 FR 49354). [Sections 115.521-115.527, 115.529] (E. Mack/239-1488)</p>
97136-335-WS	I&HW Reporting Rule Modifications	<p><u>I&HW Reporting Rule Modifications</u></p> <p>The proposed rule amendment will mandate that Large quantity Generators and Receivers use electronic software provided by the TNRCC for notification and reporting unless they can demonstrate that such usage would be a hardship. If a hardship is determined, the executive director will authorize the use of paper forms. [Sections 335.6, 335.9, and 335.15/Chapter 335](R. Pizarro/239-2588)</p>
97137-320-WT	Clean Rivers Program / HB 1190	<p><u>Clean Rivers Program</u></p> <p>The proposed rule establishes the regulatory framework for the implementation of the Clean Rivers Program in accordance with legislation and stakeholder input. The rule is in response to HB 1190 and is part of the agency's legislative implementation. [Sections 320.1-320.9 and 320.21-320.22/Chapter 320] (S. Olivarez/239-4718)</p>

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97138-305-WT	75% / 90% Rules	<u>75% / 90% Rules</u> This rulemaking revises the 75% / 90% rule to provide the regulated community more control over when to take action to address wastewater needs and to reduce reporting requirements associated with administering the rule. [Section 305.126/Chapter 305] (C. Kim/239-3670)
97139-114-AI	Texas Clean Fleet Program / SB 681	<u>Texas Clean Fleet Program</u> The proposed rule will require private, local government, and transit fleets in the Houston/Galveston and El Paso nonattainment areas to purchase specified percentages of low-emission vehicles. The rule is part of the agency's implementation of SB 681. [Sections 114.30-114.40/Chapter 114] (T. Ortiz/239-1054)
97140-330-WS	Used/Scrap Tire Rules (SB1586)	<u>Used/Scrap Tire Rules</u> This rulemaking will provide for the repeal of portions of 30 TAC Chapter 330, concerning the management of whole used or scrap tires, due to the sunset provisions of Health and Safety Code, Chapter 361, Subchapter P (note Section 361.112 remains in place). SB 1586 failed to pass, thereby allowing the sunset provisions of Subchapter P to be triggered on December 31, 1997. [Sections 330.4 and 330.801-330.889/Chapter 330] (R. Austin/239-6814)
97141-324-WS	Used Oil Program Rules / SB 1150	<u>Used Oil Program Rules</u> This rule will replace biennial registration with one time registration for transporters, transfer facilities, processors, rerefiners, burners of off-specification used oil, and marketers; and eliminate annual reporting for all of these entities, except processors and rerefiners, which retain their federal biennial reporting requirements. This rule is part of the agency's implementation of SB 1150. The amendments will also include the new financial responsibility rule requirement formerly being developed under rule log number 96134-324-WS.
97142-035-AD	Emergency & Temporary Orders/SB 18	<u>Emergency and Temporary Orders (Rule Project) Enforcement Consolidation</u> This rule will provide for the issuance of emergency and temporary orders by the commission, for the delegation of that authority to the executive director, and for notice and hearing requirements. This rule will provide for consistent processes across programs. In addition, program specific requirements in current rules will be modified concurrently. This rule is part of the agency's implementation of SB 1876. [Chapter 351] (B. Christian/239-1760)
97143-293-WT	Water District Rules / SB 1865	<u>Water District Rules</u> The proposed rule consolidates notice provisions and allows approval of uncontested water district creations and standby fees by the executive director without a hearing. The rule also exempts qualified districts with tax collections from having to file an annual audit report, and places Drainage Districts and Levee Improvement Districts with appointed boards back under TNRCC's bond review authority. This is part of the agency's implementation of SB 1865. [Sections 293.41, 293.94, 293.145, 293.12, 293.80, and 293.171/Chapter 293] (T. Chenoweth/239-4483)
97144-007-WT	Water Well Drillers Program / SB 1955	<u>Transfer of Water Well Drillers Program - SB 1955</u> This rule will provide for a Memorandum of Understanding between the TNRCC and the Texas Department of Licensing and Regulation concerning the transfer of the Water Well Drillers/Pump Installers Certification programs. This rule is part of the agency's implementation of SB 1955. [Chapter 7] (M. Ambrose/239-4813)

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97145-344-WT	Irrigators' Rule / HB 328	<u>Irrigator's Rules</u> This rule will exempt from licensing those persons who are members of a homeowners association for irrigation or yard sprinkler work done on property owned in common by the members. This is part of the agency's implementation of HB 328. [Section 344.2/Chapter 344] (M. Ambrose/239-4813)
97146-297-WT	Water Rights / SB 1	<u>Water Rights / Groundwater Mgmt. - SB 1</u> New and amended rules in Chapters 288, 294, 295, 297 and 331 will implement the water rights and groundwater district creation and oversight provisions of Senate Bill 1, 75th Legislative Session. These rules will provide definition and clarification for terms, procedures, and provisions related to water conservation plans, drought contingency plans, water right application and fees, multi-use water rights, standards for evaluation of water right amendments, reuse, interbasin transfers, emergency transfers, cancellation, aquifer storage and retrieval and effects on groundwater. The rules will also provide procedures for the designation of priority groundwater management areas, creation of groundwater conservation districts, and actions the commission may take in assuring district compliance with the requirements of Water Code, Chapter 36. This project will also include modifying the Regulatory Guidance Documents for Water Rights (RG-141, June 1995) to provide consistency. [Chapters 288, 294, 295, 297, and 331] (J. Kowis/239-4705)
97147-304-WT	Enforcement Provisions / SB 1	<u>SB 1 - Enforcement Provisions</u> The rules will provide for the enforcement process and appeal remedies for field citations issued by the water master. This rulemaking is part of the agency's implementation of Senate Bill 1. [Chapter 304] (L. Winkelman / 239-3470)
97148-291-WT	Water Rates / SB 1, HB 1406, SB 623	<u>Water Rates</u> The proposed rules implement requirements for business plans and financial assurance for CCN applications and public water system development and modify reporting requirements for wholesale rates and regulatory assessments. This is part of the agency's implementation of SB 1, HB 1406, and SB 623. [Sections 290.38-290.47, 290.102/Chapter 290 & Subchapters A - J/Chapter 291] (T. Chenoweth/239-4483)
97149-291-WT	Rate Flexibility / SB 1	<u>Rate Flexibility</u> The proposed rules will allow water and sewer rate flexibility by allowing rates to be based on factors other than rate of return. This rule is part of the agency's implementation of SB 1. [Chapter 291] (T. Chenoweth/239-4483)
97150-285-WT	On-Site Sewage Facilities / HB 3059	<u>On-Site Sewage Disposal Facilities - HB 3059/HCR 331</u> This rule modifies Chapter 285 to implement new and amended provisions of Chapter 366 of the Health and Safety Code by HB 3059, 75th Legislative Session. This modification will provide changes to current definitions, requirements of electric utilities to provide service connection information to local officials, changes to compliance time frames, maintenance contract requirements in counties of less than 40,000 population, performance bond requirements in counties greater than 2.8 million population and clarification of enforcement related civil actions. [Chapter 285] (J. Kowis/239-4705)
97151-205-WT	General Permits / HB 1542	<u>General Permits</u> This rule will provide for the repeal of Section 321.141, relating to Additional Characteristics and Conditions for Controlling Certain Activities by Rule. The rule will also provide for a new Chapter 205, concerning general permits. This is part of the agency's implementation of HB 1542. [Section 321.141/Chapter 321. Chapter 205] (C. Kim/239-3670)

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97152-321-WT	CAFO Rules / HB 1542	CAFO Rules The commission is in the process of developing a general permit for Concentrated Animal Feeding Operations (CAFO) activities. The proposed rule would revise Chapter 321, Subchapters B and K (concerning Livestock and Poultry Production Operations and Concentrated Animal Feeding Operations) to cover those facilities not authorized under the general permit. [Chapter 321] (J. Kowis/239-4705).
97153-330-WS	Litter Disposal or Storage / HB 717	<u>Litter Disposal or Storage</u> The rule will address the disposal or temporary storage of litter or solid waste on an individual's property. This rule is part of the agency's implementation of HB 717. [Chapter 330] (W.Lee/239-6815).
97154-336-WS	Uranium Transfer Bill - SB 1857	<u>Uranium Transfer Bill</u> The purpose of the rule amendments and repeal is to implement the provisions of SB 1857, which changed the jurisdiction over radioactive source material licensing and byproduct disposal from the TNRCC to the Texas Department of Health. Conforming changes are also being made to delete references. The proposal also includes revisions recommended by the Nuclear Regulatory Commission and several regulatory reform changes, including consolidating some procedural requirements. [Chapters 39, 305, 336] (J. Houston/239-4641)
97155-335-WS	State Superfund / HB 2776	<u>State Superfund Program - HB 2776</u> This rulemaking will amend Chapter 335, Subchapter K, to streamline the delisting and remedy selection phases of the State Superfund remedial process and establish criteria and procedures for selecting and amending selected remedies. This is part of the agency's implementation of HB 2776. [Sections 335.341-335.349, 335.51-335.52/Chapter 335] (C. Talkington/239-6731)
97156-333-WS	Innocent Landowner / HB 2776	<u>Innocent Landowner Rules - HB 2776</u> This rule will clarify certain procedural and technical requirements necessary to apply for and receive a certificate for innocent landowners as set forth in Health and Safety Code, Chapter 361, Subchapter V. In addition, certain terms will be defined. This is part of the agency's implementation of HB 2776. [Subchapter B/Chapter 333] (C. Talkington/239-6731)
97157-335-WS	Mgt. of Poultry Carcasses / SB 1910	<u>Management of Poultry Carcasses - SB 1910</u> This rulemaking implements the provisions of Water Code, Section 26.303, requiring the commission to adopt requirements for the safe and adequate handling, storage, transportation, and disposal of poultry carcasses. These rules cannot take effect before March 1, 1999. This is part of the agency's implementation of SB 1910. [Section 335.2/Chapter 335] (C. Talkington/239-6731)
97158-070-AD	Enforcement Report / HB 1133	<u>Enforcement Report - HB 1133</u> The proposed rule amends Section 70.4 to make it conform with the requirements of HB 1133. The rule will provide for an electronic enforcement report to be submitted to the governor, lieutenant governor, and speaker that will describe the enforcement actions for each regulatory program. [Section 70.4/Chapter 70] (B. Christian/239-1760)

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
Project Summaries

NUMBER	SHORT TITLE	DESCRIPTION
97159-080-AD	Public Comment/Contested Case Heari	<p><u>Public Comment/Contested Case Hearings - SB 637</u> This rule will amend Chapters 55 and 80 to establish a system for the commission's consideration of and response to public comments on applications and draft permits for federally authorized UIC, RCRA, and NPDES permit programs. The rule will also provide for the repeal of Section 305.106. Additionally, in accordance with SB 637, 75th Legislature, it will amend Section 80.273 to provide that if all parties to a contested case agree, the date for filing a motion for rehearing can be shortened, not to exceed 20 days beyond the order date. [Chapters 55, 80 and 305] (R. O'Connell/239-5528)</p> <p><u>Purchasing - SB 1752</u> This rule will provide for protest procedures for resolving vendor protests relating to purchasing issues. It is part of the agency's implementation of SB 1752. [Section TBD/Chapter 11] (J. Beltran/239-1909)</p> <p><u>Definition of Medical Waste - HB 956</u> The rule will implement statutory changes to the definition of medical waste by excluding medical waste produced on farmland and ranch land, and artificial, nonhuman materials removed from a patient and requested by the patient. The rule will also make a conforming change to the definition in Chapter 101. The rule is part of the agency's implementation of HB 1644, 74th Legislature, and HB 956, 75th Legislature. [Section 330.2/Chapter 330 & 101.1/Chapter 101] (H. Mendieta/239-5756).</p>
97161-011-AD	Purchasing / SB 1752	
97162-330-WS	Definition of Medical Waste / HB 956	